

1 WILLIAM G. MALCOLM, #129271  
KERRY MOYNIHAN, #250571  
2 MALCOLM ♦ CISNEROS, A Law Corporation  
2112 Business Center Drive, Second Floor  
3 Irvine, California 92612  
(949) 252-9400 Telephone  
4 (949) 252-1032 Fax

5 **Attorneys for Secured Creditor,**  
6 **Wachovia Mortgage**

7 **UNITED STATES BANKRUPTCY COURT**  
8 **NORTHERN DISTRICT OF CALIFORNIA**  
9 **SANTA ROSA DIVISION**

10 In re:	)	Bankruptcy Case No. 09-13905
11 CARL FREDERICK PIEPER,	)	Chapter 13
12	)	<b>OBJECTION TO CONFIRMATION OF</b>
13 Debtor.	)	<b>CHAPTER 13 PLAN</b>
14	)	<u>MEETING OF CREDITORS:</u>
15	)	DATE: January 19, 2010
16	)	TIME: 8:00 AM
17	)	PLACE: Santa Rosa U.S. Trustee Office
18	)	<u>CONFIRMATION HEARING:</u>
19	)	DATE: February 8, 2010
	)	TIME: 1:30 PM
	)	PLACE: Santa Rosa Courtroom

20 **TO THE HONORABLE ALAN JAROSLOVSKY, UNITED STATES BANKRUPTCY**  
21 **COURT JUDGE, THE CHAPTER 13 TRUSTEE, THE DEBTOR AND THE DEBTOR'S**  
22 **COUNSEL:**

23 Wachovia Mortgage ("Wachovia") is the holder of a secured claim recorded against property  
24 in which the Debtor has an interest. Wachovia is, therefore, a party in interest and has standing to  
25 object to the Debtor's Chapter 13 Plan.

26 Wachovia is the holder of a claim secured only a security interest in real property commonly  
27 referred to as 1420 E. 35<sup>th</sup> Street, Tulsa, Oklahoma. The total amount that is due and owing under  
28 the Promissory Note is approximately \$131,228.52 and the pre-petition arrearage owed is \$3,991.89.

1 Wachovia objects to the Debtor's Plan on the following grounds:

2 The Debtor's Plan does not provide for the curing of the pre-petition arrearages owed to  
3 Wachovia. As the Debtor's Plan does not provide for the cure of the pre-petition arrearages owed,  
4 the Debtor's Plan is infeasible and does not satisfy §1322(b)(5).

5 Based on the foregoing, Wachovia respectfully requests that the Court deny confirmation of  
6 the Debtor's Chapter 13 Plan or order that the Chapter 13 Plan be amended to provide for payments  
7 of Wachovia's pre-petition arrearages.

8 DATED: January 19, 2010

Respectfully Submitted,

9 MALCOLM CISNEROS, A Law Corporation

10  
11 /s/William G. Malcolm  
12 WILLIAM G. MALCOLM  
13 Attorney for Secured Creditor,  
14 Wachovia Mortgage  
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I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action; my business address is: 2112 Business Center Drive, Second Floor, Irvine, California, 92612.

Carl Frederick Pieper  
485 Amoros Court  
Santa Rosa, CA 95401

Evan Livingstone  
182 Farmer's Lane 100A  
Santa Rosa, CA 95405

David Burchard  
Chapter 13 Trustee  
393 Vintage Park Drive, Ste. 150  
Foster City, CA 94404

Executed on January 19, 2010, at Irvine, California.

/s/Liz Chapin  
LIZ CHAPIN